

## Article - Health - General

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§19–1409.

(a) There is an Oversight Committee on Quality of Care in Nursing Homes and Assisted Living Facilities.

(b) The Oversight Committee shall consist of the following members:

(1) One member of the Senate Finance Committee, appointed by the President of the Senate;

(2) One member of the Senate Education, Health, and Environmental Affairs Committee, appointed by the President of the Senate;

(3) Two members of the House Health and Government Operations Committee, appointed by the Speaker of the House;

(4) The Secretary of Aging, or the Secretary's designee;

(5) The Secretary of Health, or the Secretary's designee;

(6) The Director of the Office of Health Care Quality, or the Director's designee;

(7) The Deputy Secretary for Behavioral Health, or the Deputy Secretary's designee;

(8) The Secretary of Human Services, or the Secretary's designee;

(9) The Secretary of Disabilities, or the Secretary's designee;

(10) The State Long–Term Care Ombudsman;

(11) Two representatives of area agencies on aging, one of which shall be a member of a local long–term care ombudsman program established under Title 10, Subtitle 9 of the Human Services Article, selected by the President of the Maryland Association of Area Agencies on Aging;

(12) One representative of a local long–term care ombudsman entity, selected by the State Long–Term Care Ombudsman;

(13) Three consumer members, selected by the State Long–Term Care Ombudsman, all of whom shall be consumers living in an assisted living facility or a nursing home or have a family member living in an assisted living facility or a nursing home;

(14) The following representatives, selected by the organizations the individual represents:

(i) One representative from the Health Facilities Association of Maryland;

(ii) One representative from the Mid–Atlantic LifeSpan;

(iii) One representative of the Hospice Network of Maryland;

(iv) One representative of the Maryland Hospital Association;

(v) One representative of 1199SEIU United Health Workers East;

(vi) One representative of the Maryland Chapter of AARP;

(vii) One representative of United Seniors of Maryland;

(viii) One representative of Voices for Quality Care;

(ix) One representative of the Mental Health Association of Maryland knowledgeable in issues of aging;

(x) One representative of the Greater Maryland Chapter of the Alzheimer’s Association; and

(xi) One representative of the Maryland Association of Adult Day Services; and

(15) Three representatives from the assisted living industry, of which one shall represent a program that cares for one to four residents, one shall represent a program that cares for five to nine residents, and one shall represent a program that cares for more than 10 residents.

(c) The Secretary of Aging, or the Secretary’s designee, shall chair the Oversight Committee.

(d) The Oversight Committee shall evaluate the progress in improving nursing home care quality and assisted living facility quality statewide, which may include consideration of:

- (1) Quality of care standards for nursing homes and assisted living facilities;
- (2) Standards for the identification of the onset of dementia and Alzheimer's disease;
- (3) Standards for the identification of conditions appropriate for hospice services;
- (4) Staffing patterns and staffing standards;
- (5) Policies and procedures for inspecting nursing homes and assisted living facilities, and responding to quality of care complaints;
- (6) A comparison of Maryland standards, policies, and procedures to those in other states;
- (7) The labor pool available to fill nursing and nursing aide jobs;
- (8) State funding mechanisms for nursing homes and assisted living facilities, including the Medicaid Nursing Home Reimbursement System, potential barriers to eligibility in the Maryland Medical Assistance Program, potential barriers to the timely payment of claims submitted to the Maryland Medical Assistance Program, and regulation of nursing homes;
- (9) The provision and quality of dementia care and behavioral health supports and services to meet the needs of nursing home and assisted living facility residents;
- (10) Staff training and development;
- (11) The rights of residents;
- (12) Data on resident satisfaction;
- (13) Resident assessments;
- (14) Resident care planning;
- (15) The monitoring of residents; and

(16) The change of resident status.

(e) The Office of Health Care Quality in the Maryland Department of Health shall submit a report to the Oversight Committee annually on the status of quality of care in nursing homes and assisted living facilities.

(f) The Deputy Secretary of Health Care Financing, or the Deputy Secretary's designee, shall report annually to the Oversight Committee on the status of the Medicaid Nursing Home Reimbursement System, which shall include but not be limited to:

(1) Elements of the existing methodology that are no longer relevant;

(2) Elements of the existing methodology that can be revised;

(3) The appropriateness of redesigning the system given changing demographics of the target population; and

(4) General Fund and federal fund savings from a system redesign that may be redirected to nursing home staff development in the nursing cost center.

(g) The Oversight Committee shall review the reports of the Office of Health Care Quality and the Deputy Secretary of Health Care Financing and develop recommendations to continue improvement in nursing home and assisted living facility care.

(h) The Oversight Committee may:

(1) Review legislation introduced in the General Assembly that may affect nursing home and assisted living facility care; and

(2) Make recommendations about the legislation to the General Assembly.

(i) The Oversight Committee may:

(1) Review proposed regulations that may affect nursing home and assisted living facility care; and

(2) Make recommendations about the regulations to the departments proposing the regulations and to the Joint Committee on Administrative, Executive, and Legislative Review.

(j) The Oversight Committee shall report its findings and recommendations to the Governor and, subject to § 2–1257 of the State Government Article, to the General Assembly on or before December 1 of each year.

(k) The Department of Aging, with assistance from the Maryland Department of Health, the Department of Human Services, and the Department of Legislative Services, shall provide staff support for the Oversight Committee.

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